

REMARKS

As a preliminary matter, it is noted that the Examiner has not provided an initialed copy of the Information Disclosure Statement filed on March 7, 2001. A copy of the IDS and stamped-post card showing receipt by the PTO is attached hereto for the Examiner's reference. It is respectfully requested that the Examiner provide Applicant an initialed copy of the IDS indicating that each of the prior art references cited therein have been considered and made of record.

Claims 31-34, 36, 39-42 and 44 stand rejected under 35 U.S.C. § 102 as being anticipated by Christopoulos et al., and claims 35, 37, 38, 43, 45 and 46 stand rejected under 35 U.S.C. § 103 as being unpatentable over Christopoulos et al.. Claims 31 and 39 are independent. These rejections are respectfully traversed for the following reasons.

In order to expedite allowance of this application and without prejudice or disclaimer to the subject matter embodied by claims 31 and 39, claims 31 and 39 have been amended to include the limitations of claim 32 and 40, respectively. Claims 32 and 40 have been canceled accordingly. Additionally, the limitation that the "first and second encoded streams are coded by the same block-size" has also been added to claims 31 and 39. Furthermore, the word "first area" has been changed to "group of first blocks", and the word "second area" has been changed into "second block".

One exemplary embodiment of the present invention is shown in FIG. 14B of Applicants' drawings, in which a motion vector MVL for one macroblock MBL in the new video signal SLR can be generated from motion vectors MVHi for multiple (four, for example) macroblocks MBHi in the original video signal SHR. Or, as shown in FIG. 14C of Applicants' drawings, a DCT type for one block BL in the new video signal SLR can be generated from DCT types of multiple (four, for example) blocks BHi in the original video signal SHR.

In other words, according to the claimed inventions, the first encoding parameters for a group of first blocks in the original video signal can be changed into the second encoding parameter for a second block in the new video signal.

On the other hand, Christopoulos et al. does not disclose or suggest such a feature. Rather, Christopoulos et al. merely discloses that block 303 scales the incoming motion vectors in accordance with a required output resolution, motion compensation block sizes and the encoding method of the second coding scheme (*see* col. 8, lines 35-64). However, Christopoulos et al. is silent as to the particular method by which to effect such a scaling, let alone suggest the aforementioned claimed feature of the present invention. Moreover, based on the overall specification of Christopoulos et al., it appears that a motion vector for one 8x8 block is changed into a motion vector for one 4x4 block by such a scaling.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Christopoulos et al. does not anticipate claims 31 and 39, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 31 and 39 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition,

it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 and 103 be withdrawn.

CONCLUSION

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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